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6 **IN THE UNITED STATES DISTRICT COURT**
7 **DISTRICT OF OREGON**
8 **MEDFORD DIVISION**

9 TAMIE RICHARDSON,
10 vs. Plaintiff,
11 First Horizon Home Loan Corporation,
12 Defendants.

Case No. 10-03073

MOTION FOR PROTECTIVE ORDER

13 COME NOW the Defendant by and through its attorney of record, represented by and through
14
15 Holger Uhl of McCarthy & Holthus, LLP and pursuant to Rules of Civil Procedure 26 and moves for a
16 Protective Order related to Plaintiffs' discovery request. A copy of Defendant's latest Supplemental
17 Response including specific objections are attached hereto and incorporated hereby as Exhibit A.

18 This Motion is based upon the following:

19 1. That Defendant has complied with all reasonable requests of Plaintiff with respect to
20 discovery.

22 2. That Plaintiff's remaining requests are related to issues that have been dismissed by the
23 Court and are otherwise irrelevant to the remaining issue before the Court.

24 3. That Plaintiff's Requests for production are unreasonable and brought solely in order to
25 annoy or embarrass and cause undue expenses to the Defendant, including but not limited to the
26 following reasons:

RESPONSE IN OPPOSITION
FACTS - 1

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- 1 a. Plaintiff generally seeks documents which are not relevant to the subject matter involved in
2 the pending action and/or documents of public record which are equally accessible to all
3 parties and/or documents which are in the custody or control of 3rd parties.
4
5 b. Plaintiff seeks documents which have been produced or are in the possession or control of
6 Plaintiff.
7
8 c. Plaintiff does not have a “substantial need” for the discovery requested.

9 Despite the Court’s previous orders, Plaintiff continues to propound discovery that is related to
10 theories that have been dismissed or otherwise rejected by the court. None of the outstanding
11 discovery requests even remotely relate to the remaining issue in this case. In addition the requests
12 needlessly confuse the record requiring the production of additional copies of documents already
13 produced.

14
15 Therefore, Defendant seeks an order from this Court that no further discovery be had by
16 Plaintiff and/or that Plaintiffs advance reasonable costs to Defendants for time and money extended in
17 compiling the records and copying the records requested. In the alternative Defendant seeks an order
18 from this court requiring Plaintiff to state in detail for each request why the selected discovery is
19 needed and how it relates to Plaintiff’s remaining cause of action. In addition Defendant should be
20 protected from having to produce documents it has already produced.

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23 DATED March 9, 2011
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RESPONSE IN OPPOSITION
FACTS - 2

/s/ *Holger Uhl*
By _____
Holger Uhl, Of the Firm
Attorneys for First Horizon Home Loan Corporation

RESPONSE IN OPPOSITION

FACTS - 3

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